

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

IFTIKHAR AHMED MEMON,

Plaintiff,

v.

WESTERN TECHNICAL COLLEGE,

Defendant.

ORDER

Case No. 14-cv-581-jdp

This is a civil action filed by plaintiff, Iftikhar Ahmed Memon, who is proceeding pro se. Plaintiff has paid the \$400 fee for filing this case.

The next step is for plaintiff to serve the complaint on the defendant. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving a case to resolution. If plaintiff acts promptly, plaintiff should be able to serve the complaint on the defendant well before the deadline for doing so established in Rule 4. For plaintiff's information, Fed. R. Civ. P. 4(2) states that service must be made by any person who is at least 18 years old and not a party to the lawsuit. In addition, Fed. R. Civ. P. 4(j)(2) also states:

Service upon a state, municipal corporation or other governmental organization subject to suit shall be effected by delivering a copy of the summons and of the complaint to its chief executive officer or by serving the summons and complaint in the manner prescribed by the law of that state for the service of summons or other like process upon any such defendant.

To help plaintiff understand the procedure for serving a complaint as prescribed by the state of Wisconsin, enclosed with this order are Wis. Stats. §§ 801.10 and 801.11.

ORDER

IT IS ORDERED that plaintiff, Iftikhar Ahmed Memon, promptly serve the summons and complaint on the defendant and file proof of service of the complaint as soon as service has been accomplished. A summons that has been signed and sealed by the clerk of court for plaintiff's use in serving this complaint is enclosed with this order. If, by October 6, 2014, plaintiff fails to submit proof of service of the complaint on the defendant, or explain the inability to do so, I will direct plaintiff to show cause why this case should not be dismissed for lack of prosecution.

Entered this 25th day of August, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge